

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DOROTHY TONEY-ACON,           )  
  )  
          Plaintiff,                )  
  )  
          vs.                        )  
  )  
CITY OF UNIVERSITY CITY,       )  
  )  
          Defendant.             )

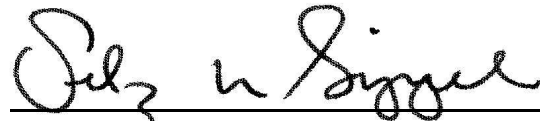
Case No. 4:08CV1229 RWS

**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's memorandum to the Court, which the Court will construe liberally as a motion for leave to file a second amended complaint. Because leave to amend shall be freely granted, the Court will grant plaintiff leave to file her second amended complaint. Because defendant's time to answer the amended complaint has not yet run, defendant need only file an answer to the second amended complaint within the required time frame.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for leave to file a second amended complaint [#33] is granted, and plaintiff's second amended complaint is deemed filed as of this date.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 30th day of December, 2008.